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Attorneys for Defendant
 BMW OF NORTH AMERICA, LLC

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

NELSON AVELAR,

Plaintiff,

vs.

BMW OF NORTH AMERICA,
 LLC, a Delaware Limited Liability
 Company, FINCHEY
 CORPORATION OF
 CALIFORNIA, a California
 Corporation dba PACIFIC BMW,
 and DOES 1 through 10,

Defendants.

CASE NO.: 2:17-cv-04693 JAK (JPR)

**(Removed from Los Angeles County Superior
 Court Case No. BC658216)**

**JOINT REPORT REGARDING STATUS OF
 SETTLEMENT**

Trial: None

1 TO THE HONORABLE COURT:

2 Plaintiff Nelson Avelar and Defendant BMW of North America, LLC
3 ("BMW NA") respectfully submit the following Joint Report Regarding Status of
4 Settlement Pursuant to the Court's June 22, 2018 Order:

5 On July 30, 2018, this matter was mediated before Mediator Ron Akasaka of
6 SMART ADR.

7 Attorney Richard Stuhlbarg and Tom Penich, a representative of BMW of
8 North America, LLC, personally attended the mediation on behalf of Defendant
9 BMW of North America, LLC.

10 Attorney Chris Swanson personally attended the mediation on behalf of
11 Plaintiff Nelson Avelar.

12 Plaintiff Nelson Avelar did not attend the mediation and was not available
13 by phone.

14 After mediating this matter, the parties were unable to reach settlement.
15 Settlement discussions are not ongoing and a further mediation session is not
16 anticipated.

17 DATED: August 8, 2018

BOWMAN AND BROOKE LLP

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19 BY: /s/Karyn L. Ihara

Brian Takahashi
Richard L. Stuhlbarg
Stephen J. Kelley
Karyn L. Ihara
Attorneys for Defendant
BMW OF NORTH AMERICA, LLC

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23 DATED: August 8, 2018

KNIGHT LAW GROUP, LLP

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25 BY: /s/Deepak Devabose

Steve Mikhov
Russell Higgins
Deepak Devabose
Attorneys for Plaintiff
NELSON AVELER

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2018, I filed the foregoing document entitled **JOINT REPORT REGARDING STATUS OF SETTLEMENT** with the clerk of court using the CM/ECF system, which will send a notice of electronic filing to all counsel of record in this action.

/s/Karyn L. Ihara